



# UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,964	03/30/2001	Lev Brouk	GRCN001/02US	3907
22434	7590	07/13/2005	EXAMINER	
BEYER WEAVER & THOMAS LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			LEE, PHILIP C	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/820,964

Applicant(s)

BROUK ET AL.

Examiner

Philip C. Lee

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 April 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

1. This action is responsive to the amendment and remarks filed on April 25, 2005.
2. Claims 1-16 are presented for examination.
3. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

*Claim Rejections – 35 USC 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Zombek et al, U.S. Patent 6,704,768 (hereinafter Zombek).

7. Zombek was cited in the last office action.

8. As per claims 1 and 9, Zombek taught the invention as claimed comprising:  
associating an identifier with an entity that has been authenticated by said message routing network, wherein said identifier is to be associated with an entity account upon authentication of said entity with a first service that supports said entity account (col. 20, lines 35-51; col. 21, lines 32-53; col. 22, lines 23-29);  
receiving, from a second service, a message including said identifier, said message being directed to a mapped service (e.g. MR) (col. 20, lines 47-52; col. 21, lines 6-13), wherein said mapped service is an entity account-specific representation of said first service (i.e. MR represents the service type of the BES or server application) and acts as a proxy for said first service (i.e. MR acts as proxy between the BES network and the client network) (fig. 1c; col. 22, lines 50-65); and  
translating, by said message routing network, said message for delivery to said first service (col. 32, lines 46-50), wherein said translated message includes said identifier (col. 20, lines 47-52) and is directed from said mapped service to said first service (col. 22, lines 22-29).

9. As per claim 10, Zombek taught the invention as claimed comprising:

a message routing network that enables routing of a message between a first service and a second service, said message being associated with an account being supported by said second service, wherein said message routing network is operative to effect a virtual service (i.e. MR provides mapping of message between the BES and the client application) through which said first service and said second service communicate, wherein implementation of said virtual service is supported by a mapping that associates said virtual service with said account (col. 22, lines 51-61) (i.e. MR acts as a proxy for mapping client application message with account information (e.g. server ID and service type) of the registered server).

10. As per claim 2, Zombek taught the invention as claimed in claim 1 above. Zombek further taught wherein said identifier is a message routing network ID (col. 22, lines 26-29).

11. As per claim 3, Zombek taught the invention as claimed in claim 2 above. Zombek further taught wherein said identifier is a message routing network ID for said mapped service (col. 22, lines 26-29).

12. As per claim 4, Zombek taught the invention as claimed in claim 1 above. Zombek further taught comprising the step of associating said identifier with an entity account upon authentication of said entity with said first service (col. 14, lines 66-col. 15, lines 1).

13. As per claim 5, Zombek taught the invention as claimed in claim 1 above. Zombek further taught wherein said translating comprises adding an identifier of said entity account to said message (col. 15, lines 26-33).

14. As per claim 11, Zombek taught the invention as claimed in claim 10 above. Zombek further taught wherein said message includes an identifier that is associated with said account (col. 20, lines 47-52; col. 21, lines 6-13).

15. As per claims 6, 12 and 14, Zombek taught the invention as claimed in claims 1 and 10 above. Zombek further taught wherein upon receipt of said translated message, said first service associates said identifier with said entity account based on a mapping internal to said first service (col. 22, lines 26-29, 51-59).

16. As per claim 7, Zombek taught the invention as claimed in claim 1 above. Zombek further taught comprising receiving a second message from said first service, said second message being directed to said mapped service (col. 24, lines 49-56).

17. As per claim 8, Zombek taught the invention as claimed in claim 7 above. Zombek further taught comprising translating said second message for delivery to said second service (col. 32, lines 66-col. 33, lines 2).

Art Unit: 2154

18. As per claim 13, Zombek taught the invention as claimed in claim 12 above. Zombek further taught wherein said message routing network adds an identifier of said account to a message being delivered to said second service (col. 15, lines 26-33).

*Claim Rejections – 35 USC 103*

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zombek in view of Garcia et al, U.S. Patent 6,470,357 (hereinafter Garcia).

21. Garcia was cited in the last office action.

22. As per claim 15, Zombek taught the invention substantially as claimed comprising:  
providing a proxy service for messages transferred between a first application service provider and a second application service provider in a message routing network (col. 31, lines 65-col. 32, lines 9), said first application service provider and said second application service

provider providing application services for an enterprise, said proxy service being provided by the message routing network and enabling said first application service provider to send information on behalf of said enterprise to said second application service provider (col. 32, lines 32-45).

23. Zombek did not teach sending information without having knowledge of the sender and the receiver. Garcia taught a proxy service enabling said first application service provider to send information on behalf of said enterprise to said second application service provider without said first application service provider and said second application service provider having knowledge of each other (col. 1, lines 35-42).

24. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zombek and Garcia because Garcia's method of sending message without sending application and receiving application having knowledge of each other would increase the efficiency of Zombek's system by allowing application to avoid the time consuming task of tracking which application is performing which function (col. 1, lines 44-53).

25. As per claim 16, Zombek and Garcia taught the invention substantially as claimed as in claim 15 above. Zombek further taught wherein said proxy service adds an account identifier to a message that is transmitted to said second application service provider (col. 15, lines 26-33).



26. Applicant's arguments with respect to claims 1-16, filed 4/25/05, have been fully considered but are not deemed to be persuasive.

27. In the remark applicant argued that

- (1) Zombek does not teach receiving a message that is being directed to a mapped service.
- (2) Zombek fails to teach translation by said message routing network.
- (3) Zombek fails to teach a virtual service that acts as a proxy through which two services communicate.
- (4) Zombek does not disclose proxy services involved in messaging, between application service providers wherein said proxy service enabling said first application service provider to send information on behalf of said enterprise to said second application service provider.
- (5) Zombek and Garcia fail to teach without said first application service provider and said second application service provider having knowledge of each other as cited in claim 15.
- (6) the motivation of combining the teachings of Zombek and Garcia is insufficient.

Art Unit: 2154

28. In response to point (1), Zombek taught wherein a client application sending a message directed to a message router (MR) that performs a mapping service (col. 22, lines 50-59).

Zombek taught the client application message is sent to a back-end server (BES) based on the service typed and message ID (col. 22, line 50-col. 23, line 10). This means that the IP address of the back-end server is not known by the client application.

29. In response to point (2), Zombek taught the invention comprising: translating, by said message routing network, said message for delivery to said first service (col. 32, lines 46-50).

Note that a HTTP redirector that performs the translation is located at the client that is part of the message routing network.

30. In response to point (3), Zombek taught a message router (MR) that acts as a proxy through which the client application and server application communicate (fig. 1c; col. 22, lines 50-65).

31. In response to point (4), Zombek taught a message router (MR) that acts as a proxy (fig. 1c), involved in messaging, between a client device (i.e. providing client application service) and a back-end server (i.e. providing server application service) (fig. 1a; col. 9, lines 29-40; col. 4, lines 44-51; col. 22, lines 50-59). Zombek further taught wherein the client application sends information (e.g. message) on behalf of said enterprise (i.e. user).

32. In response to point (5), Garcia taught routing messages without requiring the sending application to know which application should receive the message and the characteristics of the application that will receive the message. This means that the application sends the information (e.g. message) without knowledge of the application receiving the information. Note that the claim language does not cite “without said first application service provider and said second application service provider having knowledge of each other *at all time*. Therefore, Garcia cures the deficiency of Zombek and in combination, Zombek and Garcia taught the invention substantially as claimed in claim 15. Furthermore, Zombek taught routing message based on the message ID and service type of the message, therefore client application can be routed without knowledge of the receiving application (col. 22, line 50-col. 23, line 10).

33. In response to point (6), applicant argument of insufficient motivation is not persuasive. Garcia clearly stated that the efficiency of a system would improve if an application is enable to send a message without performing the time consuming task of tracking which application is performing which function (col. 1, lines 44-53).

34. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

35. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

Art Unit: 2154

the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Lee whose telephone number is (571) 272-3967. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Philip Lee



RUPAL DHARIA  
SUPERVISORY PATENT EXAMINER